



Board of Trustees

January 24, 2008

Mr. Glenn Shankle
Executive Director
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, TX 78753

RE: TCEQ Docket No. 2004-0049-AIR; Resolution Opposing ASARCO'S Permit
Application No. 20345

Dear Mr. Shankle:

The El Paso Independent School District Board of Trustees is opposed to issuance of an air permit and the reopening of the ASARCO facility in El Paso, Texas. As the largest school district in El Paso County and the school district in which ASARCO's El Paso facility is located, the El Paso Independent School District Board of Trustees approved at our January 22, 2008, Board meeting a resolution (a copy of which is attached) opposing resumption of ASARCO's operations in El Paso, Texas. The Board of Trustees does hereby request that the Texas Commission on Environmental Quality (TCEQ) deny the air permit to ASARCO, which would allow ASARCO to resume operations at such facility. It is our belief and feeling that the Board of Trustees, acting for the El Paso Independent School District, has a vital stake in the TCEQ decision. The Board's reasons for opposing the operating license for ASARCO are described below and in the attached resolution.

Historically, ASARCO was one of the first major industries in this community and its location was distant from neighborhoods, schools, and residents. ASARCO's operations, then and up to when it was shut down, have spread contaminants into the air and soil of the growing Westside. Today, the situation is even more critical as El Paso growth has virtually enveloped the ASARCO plant.

Our District, our students, parents, and community stakeholders now surround ASARCO. Numerous schools of the District are nearby the ASARCO facility. Based on the contaminant levels sought to be allowed in the proposed new permit, the existing contaminants still in our soil believed to arise from past operations of ASARCO, and what we believe to be the poor history of environmental and other compliance at such facility. We feel reopening this plant will be a significant harm to our community, including the District and its students.

ASARCO's decades of contaminate release have affected our entire city in general and especially the District's seven nearby schools, who have over 500 employees and 5,500 students. Our young growing students live and breathe within the shadows of the facility. It is for their health and well-being and for the protection of the community's environmental future, that we passed this resolution against re-issuing ASARCO's operating permit.

Our primary duty as Trustees is to seek to ensure the educational needs of over 65,000 students, as well the safety and well-being of such students at our schools. The Board believes it has done its part in fulfilling this obligation by passing this resolution. We ask that you join us to protect the future of El Paso. Please deny the operating permit to ASARCO for its El Paso facility.



Board of Trustees

Sincerely,

David D. Dodge, President
Board of Trustees
El Paso Independent School District

Copy to: Texas Governor Rick Perry
El Paso Mayor John Cook

Attachment